



How to Run for United States House of Representatives, 4th District

Ballot Access Requirements for the
February 21, 2023 Special Election

Definitions and Key Icons

Political party – an organization that, at either of the two preceding statewide general elections, received at least 10 percent of the total vote cast for any statewide office filled in that election (currently only Democratic and Republican)

Primary candidate – an individual who is seeking the nomination of a political party by running in a primary

Non-primary party candidate – an individual who is seeking the nomination of a political party by a means other than a primary; speak with the party

Independent – an individual who is seeking to run in a General Election without the nomination from the Republican or Democratic party (may include a recognized party or no party)

Incumbent – an officeholder who wants to run for reelection to the same office

Qualified voter – a person who is entitled to vote under the Virginia Constitution and is properly registered to vote (see [definition here](#))

Va. Code – Virginia Code

VAC – Virginia Administrative Code

ELECT – The Virginia Department of Elections
1100 Bank Street, 1st Floor
Richmond, VA 23219



- Notes where to find information in the Code of Virginia or Virginia Administrative Code.



- Indicates beginning and/or ending deadlines for filing documents.



- Indicates information on where to file documents.



- Indicates additional information that may be helpful.

How candidates get on the ballot in Virginia

Follow these instructions if you are running for United States House of Representatives.

Follow these instructions to get on the ballot for:

- the Special Election on Tuesday February 21, 2023.

Do you fulfill the basic qualifications to be a candidate?

- You have been a citizen of the United States for the past seven years on or before the date of being elected to office, Tuesday, February 21, 2023.
- You will be twenty-five years of age on or before the date of being elected to office, Tuesday, February 21, 2023.
- You will be an inhabitant of the Commonwealth of Virginia on or before the date of being elected to office, Tuesday, February 21, 2023.

What, when, and where do I file?

[This table is a summary. Find more information below.](#)

	What do I need to file?	Notes or other information	Where do I file this form?	When does filing open?	What is the deadline to file?
1	Certificate of Candidate Qualification - Federal Offices §§ 24.2-501 , 24.2-503 , and United States Constitution, Article 1, section 2, clause 2		With the Department of Elections. Postmarked by deadline if sent registered or certified USPS mail.	Non-primary party and independent candidates: Monday, December 12, 2022.	Tuesday, December 27, 2022 at 5:00 p.m.
3a	Declaration of Candidacy §§ 24.2-505 , 24.2-507 , 24.2-520 , and 24.2-522	Submit with the Petitions of Qualified Voters (3c) and, if applicable, the receipt for your primary filing fee (3b).	All other candidates: With the Department of Elections.	Non-primary party candidates: You do not need to file. Independent candidates: Monday, December 12, 2022.	Tuesday, December 27, 2022 at 5:00 p.m.
3c	Petitions of Qualified Voters (letter) (legal) §§ 24.2-505(D) , 24.2-506 , 24.2-507 , 24.2-521 , and 24.2-522 Administrative Code 1 VAC 20-50-20 and 1 VAC 20-50-30	Submit with the Declaration of Candidacy (3a). Independent candidates do not need to submit all signature pages at once.	All other candidates: With the Department of Elections.	Non-primary party candidates: You do not need to file. Independent candidates: Monday, December 12, 2022.	Tuesday, December 27, 2022 at 5:00 p.m.

Follow these steps to file your candidacy:

1 Fill out and submit the [Certificate of Candidate Qualification – Federal Offices \(ELECT-501\(FED\)\)](#).



Find in Virginia Code §§ [24.2-501](#), [24.2-503](#), and the United States Constitution, Article 1, section 2, clause 2.



Non-primary party and independent candidates

File starting **December 12, 2022**.

File ending **December 27, 2022 at 5 pm**.

All candidates can mail this form by the deadline and the Department of Elections will accept it.

You must:

- Pay the postage and send by registered or certified mail.
- Keep the receipt in case the Department of Elections asks for proof that you mailed this form before the deadline.



Submit this form to the Department of Elections, 1100 Bank Street, 1st Floor, Richmond, 23219.

3a; Fill out and submit a [Declaration of Candidacy](#) form (SBE-505/520).
3b



Find in Virginia Code §§ [24.2-505](#), [24.2-507](#), [24.2-520](#), and [24.2-522](#).



Independent candidates

File starting **December 12, 2022**.

File ending **December 27, 2022 at 5 pm**.

The Department of Elections must **receive** this form by the deadline listed above. A postmark or other mailing service timestamp does not qualify.



Submit this form along with:

- the Petitions of Qualified Voters
- submit form to the Department of Elections.



If you are a party candidate nominated by a method other than a primary, then you do not need to submit a Declaration of Candidacy unless required by your party.

3c Collect petition signatures and submit the Petitions of Qualified Voters (SBE-506/521) ([letter](#)) ([legal](#)).



Find in Virginia Code §§ [24.2-505\(D\)](#), [24.2-506](#), [24.2-507](#), [24.2-521](#), and [24.2-522](#).

Find in [1 VAC 20-50-20](#) and [1 VAC 20-50-30](#).

Non-primary party candidates

Independent Candidates



You do not need to submit this form.

Collect signatures:

Monday, December 12, 2022, –
Tuesday, December 27, 2022.

File starting: December 12, 2022.

File ending:
December 27, 2022 at 5 pm.



File these forms with the Department of Elections.



When an independent candidate files petition pages with the Department of Elections for the first time, s/he must file his/her Declaration of Candidacy.

Candidates running for the general election may file petition pages more than once.

See the table on page 11 for the number of signatures needed.

Independent candidates will appear on the ballot in the order of time of filing for the office - the time at which the independent candidate files the required number of petition signatures.

At the time of filing you can request notification of any problems that can be corrected before the filing deadline. Make this request in writing and address it to the Commissioner of the Department of Elections. We will try to get back to you but cannot guarantee a timely response.

If you do not qualify as a candidate because you did not have enough signatures, then you can submit an appeal to the Department of Elections regarding the petition signatures.

Submit your appeal **within 5 days** from when the disqualification notice was issued.

You will need to prove that you have the correct number of signatures from qualified voters before the deadline.

Find more information in [1 VAC 20-50-30](#).

Things to remember about petitions:

Petition Pages must...

- be on the form from the Department of Elections, and you cannot alter it in any way
- be either letter or legal size. Both are available on the [Department of Elections website](#).
- be one page printed on the front and back. You can make as many copies as you need.
- contain the signature, printed full name, and full residence address of each qualified voter and the date the voter signed. The last four (4) digits of the qualified voter's Social Security number are helpful, but not required.

The petition circulator...

- must be a legal resident of the United States and must sign the affidavit for each page in front of a notary.
- cannot be a minor.
- can be an individual who was convicted of a felony only if their voting rights are restored.
- cannot be the circulator of the page on which they sign the petition.

When filing your petition pages...

- Each page should contain signatures from only one locality. It is helpful to track signatures by locality, and there is a place on the page to enter that information.
- Please file the pages in ascending order by locality to facilitate processing.
- Deliver the Petitions for the US House Primary to the Congressional District Chairman of your party.
- Deliver the Petitions for the US House November General to the Department of Elections. The Department of Elections will ship the pages to the local general registrar in the jurisdiction the page was circulated for verification.

When collecting your petition signatures, it is helpful to remember that...

- Because people who are not registered to vote often sign petitions for candidates, we recommended that you collect at least 1,500 signatures.
- [1VAC20-50-20](#) lists material omissions for petition signatures and pages. If your petition has a material omission, it may render the page or signature invalid.

Petition Signature Requirements

Office you seek	Whose signature do you Need?	Number of petition signatures you need
United States House of Representatives	A qualified voter from the congressional district where the candidate is seeking election	1,000 signatures

Can I withdraw my candidacy?



Find in Virginia Code § [24.2-612.2](#). ELECT offers [ELECT-612.2](#) to help facilitate the candidate withdrawal process.



A withdrawing candidate should submit his/her withdrawal notice with enough time before absentee voting commences in order to ensure his/her name is removed from the ballot.

If you submit your form after your local ballots are printed, your name will not be removed from the ballot, but you will no longer be a candidate.



Submit your written withdrawal to your [General Registrar](#). Electronic submissions of signed withdrawal notices are permissible.



To be withdrawn from the ballot you must submit a signed written notice declaring your intent to withdraw from the election.

Qualified Independent Candidate that Wishes to use Third Party ID on the Ballot.



Find in Virginia Code § [24.2-613](#).



File starting **December 12, 2022**.
File ending **December 27, 2022 at 11:59 pm**.

Use this table to learn what, when, and where to file.

	What do I need to file?	Where do I file this letter?	When does filing open?	What is the deadline to file?
1.	<p>A letter signed by the State Chair stating the following:</p> <ul style="list-style-type: none"> The group has been in existence for at least six months prior to the filing of its nominee. The group has a state central committee composed of registered voters from each of Virginia’s 11 congressional districts in continual existence for the six months prior to the filing of its nominee. The group has a party plan and bylaws. 	With the Department of Elections.	Monday, December 12, 2022.	Tuesday, December 27, 2022 at 11:59 pm.
2.	<p>A letter signed by the State Chair and signed by the candidate stating the following:</p> <ul style="list-style-type: none"> The Chair certifies the candidate is the nominee of the party. The candidate accepts the nomination of the party. 	With the Department of Elections.	Monday, December 12, 2022.	Tuesday, December 27, 2022 at 11:59 pm.



Submit these letters to the Department of Elections. Electronic submission of these letters is permissible (ea@elections.virginia.gov).



The Department of Elections recommends that the Independent candidate provide this information to the State Chair of their party. This presumably will assure that the party will provide the nominee with what they need to file with the Department of Elections by the appropriate deadline.

Campaign Finance accounts and reporting.

The Federal Election Commission is responsible for federal campaign disclosure laws. Federal law requires candidates to register and disclose campaign receipts and expenditures and to abide by certain contribution limits and prohibitions. Please contact the Federal Election Commission for more information (1050 First Street, NE, Washington, D.C. 20463, or on the web at www.fec.gov).

General Disclaimer

The electronic version of this Candidate Bulletin can be found on the Department of Elections website:

<https://www.elections.virginia.gov/candidatepac-info/candidate-bulletins/>

Candidates are responsible for complying with all current applicable local, state, and federal laws and regulations.

This Candidate Bulletin provides an overview of Virginia electoral requirements only. It does not purport to provide legal advice or binding statements of official policy. Rather, the Candidate Bulletin describes election law found in the Code of Virginia.

Applicable laws and regulations are subject to change in content and interpretation.